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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/031,459

03/06/2002

Yoshinobu Hara

108426-00014

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07/31/2006

EXAMINER

NELSON, FREDA ANN

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SUITE 400

WASHINGTON, DC 20036

ART UNIT

PAPER NUMBER

3639

DATE MAILED: 07/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/031,459

Applicant(s)

HARA ET AL.

Examiner

Freda A. Nelson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37-CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 May 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

The amendments received on May 15, 2006 is acknowledged and entered. Claims 1, and 7 have been amended. No claims have been added. Claims 1-12 are currently pending.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-12 have been considered but are moot in view of the new ground(s) of rejection.

Claim rejection under 35 USC § 101 have been withdrawn due to the applicant's amendment.

Claim rejections under 35 USC § 112 have been withdrawn due to the applicant's amendment.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-12 are rejected under 35 U.S.C. 102(e) as being anticipated by McMahon et al. (US PG Pub. 2001/0034726).

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As for claims 1 and 7, McMahon et al. disclose an automatic price correcting system in which, connected with a buyer's computer and a seller's computer, for correcting a standard price of an article which has been presented by the seller based on a specification of the article, according to changes in the standard specification, the system comprising: a standard price storing section for storing a price presented by the seller in response to specifications of an article presented by the buyer, as a standard price buyer (paragraph [0010]);

a standard specifications table for storing specifications presented by the buyer (paragraph [0010]);

a correction table for storing information required to correct the standard price of the article, presented by the seller (paragraph 0074)); and

a control device adapted to convert difference between the specifications of the article stored in the standard specifications table and changed specifications of the article, into a correction value of price, through means of referring to the correction table, when the specifications of the article are changed and to correct the standard price stored in the standard price storing section using the correction value of price and to send the corrected standard price to the computer of the buyer (FIGS. 4b and 6c).

As for claims 2 and 8, McMahon et al. disclose wherein the control device is adapted to obtain difference between the specifications of the article stored in the standard specifications table and changed specifications of the article, for each item of the specifications, to convert the difference of the specifications for each item of the

specifications into a correction value of price through means of referring to the correction table and to correct the standard price stored in the standard price storing section by a total of correction values, which is a sum of correction values of prices for respective items of the specifications (paragraph 0074]).

As for claims 3 and 9, McMahon et al. disclose an automatic price correcting system according to claim 2, wherein the correction table stores unit prices for units of respective items of the specifications (paragraph [0010]).

As for claims 4 and 10, McMahon et al. disclose an automatic price correcting system according to claim 1, wherein the control device is adapted to provide for the buyer a specifications change inputting screen for inputting changes in the specifications, to calculate a corrected standard price in response to changed specifications input through the specifications change inputting screen, and to present the corrected standard price to the buyer (paragraph [0072]).

As for claims 5 and 11, McMahon et al. disclose an automatic price correcting system according to claim 4, wherein contents of the correction table are displayed on the specifications change inputting screen (paragraphs [0050],[0056]).

As for claims 6 and 12, McMahon et al. disclose an automatic price correcting system according to claim 4, wherein the correction table is associated with the

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specifications change inputting screen so that for respective items of the specifications displayed on the specifications change inputting screen, the buyer can refer to the correction table corresponding to the items of the specifications (FIG 6c).

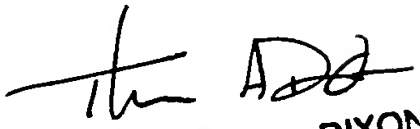
### ***Conclusion***

5. The examiner has cited prior art of interest, for example:

1) Henson (US Patent Number 6,167,383), which discloses a method and apparatus for providing customer configured machines at an internet site.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Freda A. Nelson whose telephone number is (571) 272-7076. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

  
THOMAS A. DIXON  
PRIMARY EXAMINER

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

FAN 07/19/2006

A handwritten signature in cursive script, reading "Freda Nelson". The signature is written in black ink and is positioned below the typed name "Freda Nelson".